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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,903	09/12/2006	Rui Kano	8062-1040	3958
466 7590 05/01/2009 YOUNG & THOMPSON 209 Madison Street Suite 500 ALEXANDRIA, VA 22314			EXAMINER SCHWADRON, RONALD B	
			ART UNIT 1644	PAPER NUMBER
			MAIL DATE 05/01/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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10588903	9/12/2006	KANO ET AL.	8062-1040

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## EXAMINER

Ron Schwadron, Ph.D.

ART UNIT	PAPER
1644	200904

DATE MAILED:

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## Commissioner for Patents

The reply filed on 2/12/09 is not fully responsive to the prior Office communication because of the following omission(s) or matter(s).

Regarding applicants comments and the Notice of Non-Compliant amendment mailed 2/6/09, the MPEP section 714 II. C. (A) (page 700-240) states:

*For any amendment being filed in response to a restriction or election of species requirement and any subsequent amendment, any claims which are non-elected must have the status identifier (withdrawn). Any non-elected claims which are being amended must have either the status identifier (withdrawn) or (withdrawn - currently amended) and the text of the non-elected claims must be presented with markings to indicate the changes. Any non-elected claims that are being canceled must have the status identifier (canceled).*

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/Ron Schwadron/  
Ron Schwadron, Ph.D.  
Primary Examiner, Art Unit 1644